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10/776,658	02/11/2004	Stephen O. Bozzone	7463-36 CE12125JME	3381

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AKERMAN SENTERFITT  
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EXAMINER
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SOBUTKA, PHILIP

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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06/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/776,658

**Applicant(s)**

BOZZONE ET AL.

**Examiner**

Philip J. Sobutka

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4-6, 14-17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Erkkila et al (US 6,219,560)

Consider claim 1. Erkkila teaches a modular wireless communication module, comprising:

a transceiver (*Erkkila see figure 5, item 59*) coupled to a processor (*Erkkila see figure 5, item 51*) and memory (*Erkkila see figure 5, item 53*); and

an interface block coupled to the processor (*Erkkila see figure 5, item 50*),

wherein the processor is programmed to operate in accordance with an identifier signal received from at least one among a plurality of detachable host devices (*note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*) each having different user interfaces and the

processor adapts to control a user interface of a detachable host device based on the identifier signal identifying the user interface (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*)

As to claim 4, Erkkila teaches the modular wireless communication module of claim 3, wherein the display presents content associated with a given detachable host device among the plurality of detachable host devices (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

As to claim 5, Erkkila teaches the modular wireless communication module of claim 1, wherein the processor controls the operation of a given detachable host device once coupled to the given detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

As to claim 6, Erkkila teaches the modular wireless communication module of claim 1, wherein the module further comprises an antenna coupled to the transceiver (*Erkkila see figure 5*).

Consider claim 14. Erkkila teaches an adaptable communication module, comprising:

a radio communication transceiver that identifies a user interface of a detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*), wherein the processor is adaptively (*Erkkila see figure 5, item 59, figure 5, item 51*) programmed to operate with and control a plurality of different detachable host devices having different user interfaces (*Erkkila discusses the plurality of devices that can be controlled for example on column 6, lines 1-38. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*); and

an interface block coupled to the processor for detecting the user interface of at least one among the plurality of detachable host devices wherein the adaptable communication module identifies a user interface of a detachable host device and adapts control of the detachable host device based on the user interface identified (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*)

As to claim 15, Erkkila teaches the adaptable communication module of claim 14, wherein the adaptable communication module further comprises a presentation device coupled to the processor for presenting information associated with the adaptable communication module and a given detachable host device among the plurality of host

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devices (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

As to claim 16, Erkkila teaches the adaptable communication module of claim 15, wherein the presentation device is selected from among a display and a speaker (*Erkkila see figure 5*).

As to claim 17, Erkkila teaches the adaptable communication module of claim 14, wherein the plurality of detachable host devices each includes an interface block for interfacing with the interface block of the adaptable communication module devices (*Erkkila see figures 6,7, item 60. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

Consider claim 20. Erkkila teaches a method of reusing a modular wireless communication module among a plurality of different host devices, comprising:

selectively coupling the modular wireless communication module with a first detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the*

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*attachments) having a first user interface (Erkkila teaches the attached devices having their own interfaces for example on column 4, lines 42-61, column 5, lines 1-15);*

recognizing the first host device to enable a processor within the modular wireless communication module to adaptively control the first host device and the first user interface *(Erkkila teaches the attached devices including identifying information for example on column 4, lines 13-25, column 6, lines 6-30);*

selectively coupling the modular wireless communication module with at least a second detachable host device having a second user interface *(Erkkila see column 4, lines 13-62, column 6, lines 1-6); and*

recognizing the second detachable host device to enable the processor within the modular wireless communication module to adaptively control the second detachable host device and the second user interface *(Erkkila teaches the attached devices including identifying information for example on column 4, lines 13-25, column 6, lines 6-30).*

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 7-12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila in view of Barber (US 6,029,072)

Consider claim 7. Erkkila teaches a modular communication system, comprising:  
a modular wireless communication module having a transceiver (*Erkkila see figure 5, item 59*) coupled to a processor (*Erkkila see figure 5, item 51*) and memory (*Erkkila see figure 5, item 53*) and

a first interface block coupled to the processor (*Erkkila see figure 5, item 50*);  
a detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*) having a user interface (*Erkkila teaches the attached devices having their own interfaces for example on column 4, lines 42-61, column 5, lines 1-15*), and a second interface block,



wherein the host device is one among a plurality of host devices having different user interfaces and the processor identifies a user interface of the detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 6, lines 6-30*) and

adapts to control the different user interfaces when the first interface block recognizes the second interface block of a given host device (*Erkkila teaches the attached devices including identifying information for example on column 4, lines 13-25, column 6, lines 6-30*).

Erkkila lacks a teaching of the attached (host) device having its own power source.

Barber teaches attaching devices to a wireless device wherein the attached device has its own power supply (*Barber see figures 2,3*). Barber teaches using the power supply of the attached device to charge the battery of the wireless module (*Barber see column 4, lines 25-50*). It would have been obvious to one of ordinary skill in the modify the attached device of Erkkila to have its own power in order to allow the attached device to charge the battery of the wireless module as taught by Barber.

8. The modular communication system of claim 7, wherein the modular wireless communication module further comprises a digital signal processor coupled to the processor (*Erkkila see figure 5, item 52*).

9. The modular communication system of claim 7, wherein the modular wireless communication module further comprises a display coupled to the processor (*Erkkila see figure 5, item 55*).

10. The modular communication system of claim 9, wherein the display presents content associated with a given detachable host device among the plurality of detachable host devices (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*).

11. The modular communication system of claim 7, wherein the processor controls the operation of a given detachable host device once coupled to the given detachable host device (*Erkkila see column 4, line 15 – column 5, line 6, column 6, lines 1-6*).

12. The modular communication system of claim 7, wherein the module further comprises an antenna coupled to the transceiver (*Erkkila see figure 5*).

Consider claim 19. Erkkila teaches a detachable host device (*Erkkila see column 6, lines 1-6. Note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments*) for mating with a modular wireless communication module having a first interface block (*Erkkila see figure 5, item 50*) and a transceiver (*Erkkila see figure 5, item 59*) coupled to a processor (*Erkkila see figure 5, item 51*), comprising:

a user interface (*Erkkila teaches the attached devices having their own interfaces for example on column 4, lines 42-61, column 5, lines 1-15*); and

a second interface block (*Erkkila see figure 6,7, item 60*), wherein the detachable host device is one among a plurality of detachable host devices having different user interfaces controlled by the processor when the first interface block recognizes the second interface block of the host device and a processor in the modular wireless communication module identifies the user interface in the detachable host device and adapt a control of the detachable host device (*Erkkila teaches the attached devices including identifying information for example on column 4, lines 15 - column 5, line 15, column 6, lines 6-30*).

Erkkila lacks a teaching of the attached (host) device having its own power source.

Barber teaches attaching devices to a wireless device wherein the attached device has its own power supply (*Barber see figures 2,3*). Barber teaches using the power supply of the attached device to charge the battery of the wireless module (*Barber see column 4, lines 25-50*). It would have been obvious to one of ordinary skill in the modify the attached device of Erkkila to have its own power in order to allow the attached device to charge the battery of the wireless module as taught by Barber.

7. Claims 2,3,13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila.

Consider claim 13. Erkkila teaches the modular communication system of claim 7, but lacks a teaching of wherein a given host device among the plurality of host devices is selected from the group of a monolith phone, a flip phone, a wristwatch communicator, a camera phone, a video phone, a qwerty key-board host device, a pendant-shaped host device, an MP3 player device, a heart rate monitor, a game controller host, a toy, a stroller, and a crib (*note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments. Note also that Erkkila envisions that the wireless module could be used with a variety of devices as described in column 2, lines 33-40, column 3, lines 5-20, column 4, lines 39-61, column 9, lines 25-55*).

Official Notice is taken that it is known to attach all of the claimed devices to a wireless transceiver. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila to attach the claimed devices in order to provide the attached device with wireless capabilities.

As to claim 2, Erkkila teaches the modular wireless communication module of claim 1, wherein the module further comprises a digital signal processor coupled to the processor (*Erkkila see figure 5, item 52*) that includes the specific software needed for control of the different user interfaces (*Erkkila see column 3, lines 42-62*). Erkkila lacks a teaching of the control software including user preferences. Official Notice is taken that it is notoriously well known in the art for control software to include user preferences.

Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila as shown in the claims to store user preferences as well as the control software in order to eliminate the need for users to reset preferences each time the user desired to use the interface.

As to claim 3, Erkkila teaches the modular wireless communication module of claim 1, wherein the module further comprises a display coupled to the processor (*Erkkila see figure 5, item 55*), and wherein the display presents input from the user interface of the detachable host in accordance with the specific software needed for control of the different user interfaces (*Erkkila see column 3, lines 42-62*). Erkkila lacks a teaching of the control software including user preferences. Official Notice is taken that it is notoriously well known in the art for control software to include user preferences. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila as shown in the claims to store user preferences as well as the control software in order to eliminate the need for users to reset preferences each time the user desired to use the interface.

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Erkkila in view of Barber.

Consider claim 18. Erkkila in view of Barber teaches the adaptable communication module of claim 14, but lacks a teaching of wherein a given detachable host device among the plurality of detachable host devices is selected from the group of a monolith phone, a flip phone, a wristwatch communicator, a camera phone, a video

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phone, a qwerty key-board host device, a pendant-shaped host device, an MP3 player sport device, a heart rate monitor, a game controller host, a toy, a stroller, and a crib *(note that the claimed "host" devices are in fact merely attached devices such as camera, game controller, or MP3 player as described in instant paragraph 29 of the instant specification. Note that Erkkila in contrast refers to the wireless module as the "host" device rather than the attachments. Note also that Erkkila envisions that the wireless module could be used with a variety of devices as described in column 2, lines 33-40, column 3, lines 5-20, column 4, lines 39-61, column 9, lines 25-55).*

Official Notice is taken that it is known to attach all of the claimed devices to a wireless transceiver. Therefore it would have been obvious to one of ordinary skill in the art to modify Erkkila to attach the claimed devices in order to provide the attached device with wireless capabilities.

### **Response to Amendment**

9. Applicant's arguments filed March 6, 2007 have been fully considered but they are not persuasive.

10. Applicant argues that "in applicant's embodiments the transceiver is part of the wireless module, that is, it is not part of the mobile host device as in Erkkila". Applicant points to instant figure 1, wherein the wireless module is item 12, while the attached host devices are shown as item 30. As noted in the rejection, there seems to be a confusion of terminology, Erkkila refers to the attachments as modules, while the wireless communication device is referred to as the host. However Erkkila's figure 5 shows the equivalent of the claimed "wireless communication module" NOT THE

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CLAIMED "HOST", since the claimed "host" is clearly intended to be the attached modules. Therefore as shown in applicant's own figure 1, a transceiver is clearly part of the wireless module, not the "host" attachments.

11. As to the second argument that the transceiver is not part of the expansion card, as shown in applicants own figure 1, a transceiver is not part of an expansion card but part of the wireless communication module, which corresponds to Erkkila's figure 5.

12. Applicants other arguments continue to confuse the elements of Erkkila that the examiner is using to reject the corresponding claimed elements. Note that the claimed "host" is really just a minor peripheral device, as clearly shown in applicants own figure 1, while it is the wireless module that is the main control device. Again, item 12 of applicants figure 1, corresponds to Figure 5 of Erkkila. While the claimed "host" peripherals corresponds to the plug in peripherals of Erkkila.

### ***Conclusion***

13. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J Sobutka whose telephone number is 571-272-7887. The examiner can normally be reached on Monday - Friday, 8:30am - 5:00pm.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177.

17. The central fax phone number for the Office is 571-273-8300.

Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number.

**CENTRALIZED DELIVERY POLICY:** For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

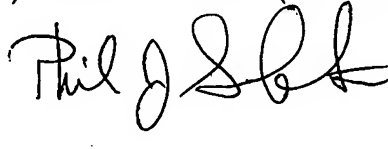
18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.



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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



5/28/07

Philip Sobutka

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PHILIP J. SOBUTKA  
PATENT EXAMINER